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NOV - 8 2006

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

2006 NOV -9 AM 11:09

OCT 23 2006

LORETTA G. WHYTE  
CLERK

FILED  
CLERK'S OFFICE

DOCKET NO. 1657

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-69)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,677 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Jeffery N. Lüthi*  
Jeffery N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

NOV - 8 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

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NOV 13 2006

Deputy Clerk, U.S. District Court  
Eastern District of Louisiana  
New Orleans, LA

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Process  
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CtRmDep  
Doc. No. 8669

**SCHEDULE CTO-69 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>SEC. L/3</u>
<b>ALABAMA MIDDLE</b>		
<del>ALM 1 06-849</del>	<del>Donna Harrell, et al. v. Merck &amp; Co., Inc., et al. Vacated 10/30/06</del>	
ALM 1 06-876	Connie Singletary v. Merck & Co., Inc.	06-9691
ALM 2 06-865	Lille B. Vickers v. Merck & Co., Inc.	06-9692
<b>ALABAMA NORTHERN</b>		
ALN 2 06-1878	Patricia Blodgett, et al. v. Merck & Co., Inc.	06-9693
ALN 2 06-1934	Larry W. Hill, Sr., et al. v. Merck & Co., Inc.	06-9694
ALN 2 06-1935	Juanita M. Rutherford v. Merck & Co., Inc.	06-9695
ALN 2 06-1937	Joan C. Addy v. Merck & Co., Inc.	06-9696
ALN 2 06-1938	Paul G. Batz, et al. v. Merck & Co., Inc.	06-9697
ALN 2 06-1942	Marlin King v. Merck & Co., Inc.	06-9698
ALN 2 06-1953	Rose Ellen Stewart v. Merck & Co., Inc.	06-9699
ALN 2 06-1954	Billy G. Smith, Jr. v. Merck & Co., Inc.	06-9700
ALN 2 06-1966	Robert Brady, et al. v. Merck & Co., Inc.	06-9701
ALN 3 06-1940	Donald G. Sharp, et al. v. Merck & Co., Inc.	06-9702
<b>ALABAMA SOUTHERN</b>		
ALS 1 06-593	Roy E. Faircloth, Sr. v. Merck & Co., Inc.	06-9703
ALS 1 06-594	Joy Donald v. Merck & Co., Inc.	06-9704
<b>ARKANSAS EASTERN</b>		
ARE 4 06-1319	Dorothy White v. Merck & Co., Inc.	06-9705
<b>CALIFORNIA CENTRAL</b>		
CAC 2 06-6143	Gouthami Mandava v. Merck & Co., Inc.	06-9706
CAC 2 06-6198	Carmen Hill v. Merck & Co., Inc.	06-9707
<b>CALIFORNIA EASTERN</b>		
<del>CAE 2 06-2079</del>	<del>Freeman Herring v. Merck &amp; Co., Inc., et al. Opposed 11/8/06</del>	
CAE 2 06-2093	James E. Chase, et al. v. Merck & Co., Inc.	06-9708
CAE 2 06-2102	Stanley Timone v. Merck & Co., Inc.	06-9709
CAE 2 06-2103	Mabel Williamson, et al. v. Merck & Co., Inc.	06-9710
<b>CALIFORNIA NORTHERN</b>		
CAN 3 06-5760	Douglas J. Trammell, et al. v. Merck & Co., Inc.	06-9711
<b>DISTRICT OF COLUMBIA</b>		
DC 1 06-1659	Charles E. Godfrey, et al. v. Merck & Co., Inc.	06-9712
<b>FLORIDA MIDDLE</b>		
FLM 5 06-337	Richard Wolf v. Merck & Co., Inc.	06-9713
FLM 5 06-355	Chris Richardson v. Merck & Co., Inc., et al.	06-9714
FLM 8 06-1785	Jean Little, et al. v. Merck & Co., Inc.	06-9715
<b>GEORGIA MIDDLE</b>		
GAM 4 06-112	Peggy Brooks v. Merck & Co., Inc.	06-9716
GAM 5 06-343	Tommie Felton v. Merck & Co., Inc.	06-9717

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
<b>GEORGIA NORTHERN</b>		
GAN 1 06-2223	William Robert Holley v. Merck & Co., Inc.	06-9718
GAN 1 06-2224	Willie Lee Sherod, etc. v. Merck & Co., Inc.	06-9719
GAN 1 06-2225	Patrick Corcoran v. Merck & Co., Inc.	06-9720
GAN 1 06-2321	Virginia R. Burr, et al. v. Merck & Co., Inc.	06-9721
GAN 3 06-92	Wanda Beth Campbell v. Merck & Co., Inc.	06-9722
<b>HAWAII</b>		
HI 1 06-504	Carlos Keen, et al. v. Merck & Co., Inc.	06-9723
HI 1 06-505	Anthony Maldonado, et al. v. Merck & Co., Inc.	06-9724
HI 1 06-506	Joseph D. Barona v. Merck & Co., Inc.	06-9725
HI 1 06-507	Adriadna Mitchell v. Merck & Co., Inc.	06-9726
HI 1 06-508	Mark Johnasen, et al. v. Merck & Co., Inc.	06-9727
HI 1 06-509	Robert Okawa, et al. v. Merck & Co., Inc.	06-9728
HI 1 06-521	Pedro U. Magno, Sr., et al. v. Merck & Co., Inc.	06-9729
<b>IDAHO</b>		
ID 2 06-389	Vicky Tibbetts v. Merck & Co., Inc.	06-9730
<b>ILLINOIS NORTHERN</b>		
ILN 1 06-5050	Maya Yarovsky v. Merck & Co., Inc.	06-9731
ILN 1 06-5134	Diana Stockwell, etc. v. Merck & Co., Inc.	06-9732
ILN 1 06-5234	Richard Volkman v. Merck & Co., Inc.	06-9733
ILN 1 06-5300	Genwefa Wrobel v. Surender Lal, M.D., et al.	06-9734
ILN 1 06-5301	Nello Vittorini v. William Monaco, M.D., et al.	06-9735
ILN 1 06-5302	Mark Fiebig v. Merck & Co., Inc.	06-9736
ILN 1 06-5304	Sandra Catuara, et al. v. Merck & Co., Inc.	06-9737
<b>ILLINOIS SOUTHERN</b>		
ILS 3 06-737	Charles F. Stalnaker, et al. v. Merck & Co., Inc.	06-9738
ILS 3 06-745	Richard Klene, etc. Merck & Co., Inc., et al.	06-9739
<b>INDIANA NORTHERN</b>		
INN 3 06-579	Deeb Azar, et al. v. Merck & Co., Inc.	06-9740
<b>KANSAS</b>		
KS 2 06-2420	Adam Susz, etc. v. Merck & Co., Inc.	06-9741
KS 5 06-4109	John Beers v. Merck & Co., Inc.	06-9742
<b>MASSACHUSETTS</b>		
MA 1 06-11667	Eldridge Bernard, et al. v. Merck & Co., Inc.	06-9743
<b>MINNESOTA</b>		
MN 0 06-3794	Nancy Ernst v. Merck & Co., Inc.	06-9744
MN 0 06-3809	Kathlin Johnson, et al. v. Merck & Co., Inc.	06-9745
MN 0 06-3842	Ernestene Burkett v. Merck & Co., Inc.	06-9746
MN 0 06-3843	William C. Malloy v. Merck & Co., Inc.	06-9747
MN 0 06-3854	Shirley McPherson v. Merck & Co., Inc.	06-9748
MN 0 06-3874	Alan Foote v. Merck & Co., Inc.	06-9749
MN 0 06-3875	David Lindsay, Sr., et al. v. Merck & Co., Inc.	06-9750
MN 0 06-3902	Marnie Andolina, et al. v. Merck & Co., Inc., et al.	06-9751
MN 0 06-3903	Joanne A. Carrigan, et al. v. Merck & Co., Inc., et al.	06-9752
MN 0 06-3904	Charles Cox, et al. v. Merck & Co., Inc., et al.	06-9753
MN 0 06-3905	Samuel G. Barone, et al. v. Merck & Co., Inc., et al.	06-9754
MN 0 06-3909	Mary D'Angelo, et al. v. Merck & Co., Inc., et al.	06-9755
<b>MISSOURI EASTERN</b>		
MOE 4 06-1347	Shoena Clayton, et al. v. Merck & Co., Inc.	06-9756
MOE 4 06-1372	Forrest Lincoln, et al. v. Merck & Co., Inc., et al. Opposed 11/8/06	

DIST. DIV. C.A. #CASE CAPTIONEDLA  
SEC. L/3

## MISSOURI WESTERN

MOW 4 06-818

Jo Levitt v. Merck &amp; Co., Inc.

06-9757

## MISSISSIPPI NORTHERN

~~MSN 1 06-265~~~~Michael A. Collier v. Merck & Co., Inc., et al. Opposed 11/8/06~~

MSN 2 06-157

Charlotte Lafayette, etc. v. Merck &amp; Co., Inc.

06-9758

MSN 4 06-155

Emma Lee Bass v. Merck &amp; Co., Inc.

06-9759

MSN 4 06-156

Mary S. Grant v. Merck &amp; Co., Inc.

06-9760

MSN 4 06-157

Estate of Cynthia Houston v. Merck &amp; Co., Inc.

06-9761

MSN 4 06-158

Estate of Lillie M. King v. Merck &amp; Co., Inc.

06-9762

MSN 4 06-159

Estate of Hattie Spain v. Merck &amp; Co., Inc.

06-9763

MSN 4 06-160

Reases Pittman v. Merck &amp; Co., Inc.

06-9764

MSN 4 06-161

Estate of Mary Frances Sheedy v. Merck &amp; Co., Inc.

06-9765

MSN 4 06-162

Bessie McIntosh v. Merck &amp; Co., Inc.

06-9766

## MISSISSIPPI SOUTHERN

MSS 3 06-528

Jessie T. Mathes, Jr., et al. v. Merck &amp; Co., Inc.

06-9767

MSS 3 06-529

Arthur Camphor, et al. v. Merck &amp; Co., Inc.

06-9768

MSS 3 06-530

Frank L. Smith, et al. v. Merck &amp; Co., Inc.

06-9769

## NEBRASKA

NE 4 06-3219

Billy B. Kehlbeck, et al. v. Merck &amp; Co., Inc.

06-9770

NE 8 06-611

Patrick J. John v. Merck &amp; Co., Inc.

06-9771

NE 8 06-612

Samual J. Johnson v. Merck &amp; Co., Inc.

06-9772

NE 8 06-613

Alfred J. Kortum v. Merck &amp; Co., Inc.

06-9773

NE 8 06-614

Stephen Krupa v. Merck &amp; Co., Inc.

06-9774

NE 8 06-615

Patrick Vaughn v. Merck &amp; Co., Inc.

06-9775

NE 8 06-616

Violet D. Hileman v. Merck &amp; Co., Inc.

06-9776

NE 8 06-617

Don Sutton, etc. v. Merck &amp; Co., Inc.

06-9777

NE 8 06-618

Ronald Evelyn v. Merck &amp; Co., Inc.

06-9778

NE 8 06-619

Virgil Freeman v. Merck &amp; Co., Inc.

06-9779

NE 8 06-620

David Schneider v. Merck &amp; Co., Inc.

06-9780

NE 8 06-621

Edward Bass v. Merck &amp; Co., Inc.

06-9781

NE 8 06-622

Ethel A. Barmes v. Merck &amp; Co., Inc.

06-9782

NE 8 06-623

Joseph John Toczec v. Merck &amp; Co., Inc.

06-9783

NE 8 06-627

Hazel Sutton, etc. v. Merck &amp; Co., Inc.

06-9784

NE 8 06-628

Robin J. Martinez v. Merck &amp; Co., Inc.

06-9785

NE 8 06-629

Thomas B. Mullen v. Merck &amp; Co., Inc.

06-9786

## NEW JERSEY

NJ 3 06-4415

Steve Heusted, et al. v. Merck &amp; Co., Inc.

06-9787

## NEVADA

NV 2 06-1215

Albin Knudson v. Merck &amp; Co., Inc.

06-9788

NV 2 06-1216

Julia C. Mortell, et al. v. Merck &amp; Co., Inc.

06-9789

NV 2 06-1217

Arthur L. Sher v. Merck &amp; Co., Inc.

06-9790

NV 3 06-495

Lee Johnson, et al. v. Merck &amp; Co., Inc.

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## OHIO NORTHERN

OHN 1 06-2193

Vincent S. Zingale, Sr. v. Merck &amp; Co., Inc.

06-9792

OHN 1 06-2236

Ruby Cowan, et al. v. Merck &amp; Co., Inc.

06-9793

OHN 1 06-2237

Ben Bisaroe v. Merck &amp; Co., Inc.

06-9794

OHN 1 06-2238

Louis Horvath, et al. v. Merck &amp; Co., Inc.

06-9795

OHN 1 06-2239

Robert Neal v. Merck &amp; Co., Inc.

06-9796

OHN 1 06-2241

James Slumber, et al. v. Merck &amp; Co., Inc.

06-9797

OHN 3 06-2180

Leitha J. Loppe v. Merck &amp; Co., Inc.

06-9798

OHN 3 06-2221

Walter Scoble, et al. v. Merck &amp; Co., Inc.

06-9799

OHN 3 06-2235

Welston Nickelson, etc. v. Merck &amp; Co., Inc.

06-9800

OHN 4 06-2240

Linda Thornton v. Merck &amp; Co., Inc.

06-9801

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
<b>OHIO SOUTHERN</b>		
OHS 2 06-774	Marie Moore v. Merck & Co., Inc.	06-9802
<b>OKLAHOMA EASTERN</b>		
OKE 6 06-374	Homer Jones v. Merck/Vioxx Corp.	06-9803
OKE 6 06-386	Howard Hess, etc. v. Merck & Co., Inc.	06-9804
<b>OKLAHOMA NORTHERN</b>		
OKN 4 06-490	Charles Tuttle v. Merck & Co., Inc.	06-9805
<b>OKLAHOMA WESTERN</b>		
OKW 5 06-1004	Deeann Marie Taylor, etc. v. Merck & Co., Inc.	06-9806
<b>PENNSYLVANIA EASTERN</b>		
PAE 2 06-3872	Lucille Paul, et al. v. Merck & Co., Inc., et al.	06-9807
PAE 2 06-4137	Barbara E. Wolfe, etc. v. Merck & Co., Inc.	06-9808
PAE 2 06-4138	John C. Slembariski, et al. v. Merck & Co., Inc.	06-9809
PAE 2 06-4139	Deborah Heisey-Dewolf, et al. v. Merck & Co., Inc.	06-9810
PAE 2 06-4140	Edwin C. Hench, et al. v. Merck & Co., Inc.	06-9811
PAE 2 06-4141	Kathy Gibson, etc. v. Merck & Co., Inc.	06-9812
PAE 2 06-4142	Nancy Scott, et al. v. Merck & Co., Inc.	06-9813
PAE 2 06-4143	Marilyn J. Osiecki, et al. v. Merck & Co., Inc.	06-9814
PAE 2 06-4144	Pedro Gonzales, Jr., et al. v. Merck & Co., Inc.	06-9815
<b>PENNSYLVANIA WESTERN</b>		
PAW 2 06-1197	Richard Craska v. Merck & Co., Inc.	06-9816
PAW 2 06-1246	Rebecca Catherine Kovach, et al. v. Merck & Co., Inc.	06-9817
<b>SOUTH DAKOTA</b>		
SD 5 06-5073	Ronald Luers Soelzer v. Merck & Co., Inc.	06-9818
<b>TEXAS EASTERN</b>		
TXE 2 06-377	Shirley Crager, et al. v. Merck & Co., Inc.	06-9819
TXE 2 06-378	E.L. Brady, Sr. et al. v. Merck & Co., Inc.	06-9820
TXE 2 06-379	Joyce Arnold, et al. v. Merck & Co., Inc.	06-9821
TXE 2 06-380	Glenda Grimes, et al. v. Merck & Co., Inc.	06-9822
<b>TEXAS NORTHERN</b>		
TXN 2 06-246	Sheila Dorman v. Merck & Co., Inc.	06-9823
TXN 3 06-1703	Nicklett Knight v. Merck & Co., Inc.	06-9824
<b>TEXAS SOUTHERN</b>		
<del>TXS 2 06-404</del>	<del>Delia Cantu, et al. v. Merck &amp; Co., Inc., et al. Opposed 11/1/06</del>	
<del>TXS 7 06-253</del>	<del>Nocmi Guzman Mata v. Merck &amp; Co., Inc., et al. Opposed 11/1/06</del>	
<del>TXS 7 06-255</del>	<del>Maria Dolores Herrera, et al. v. Merck &amp; Co., Inc., et al. Opposed 11/1/06</del>	
<b>TEXAS WESTERN</b>		
<del>TXW 5 06-785</del>	<del>Richard Rodriguez, et al. v. Merck &amp; Co., Inc., et al. Opposed 11/1/06</del>	
<b>UTAH</b>		
UT 2 06-761	Francis Luton, et al. v. Merck & Co., Inc.	06-9825
<b>VIRGINIA EASTERN</b>		
VAE 1 06-1036	Jane Fitzgerald, etc. v. Merck & Co., Inc.	06-9826